



# MEMO ENDORSED

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**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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NEW YORK, NY 10007

**HON. SYLVIA O. HINDS-RADIX**  
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December 21, 2023

**VIA ECF**

Honorable Edgardo Ramos  
United States District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Valerio v. City of New York, et al.*, 23-CV-02876 (ER)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for defendants City of New York and Jeremy Stumer. I write to respectfully request that the Court, *sua sponte*, grant an extension of time, from December 21, 2023 and December 22, 2023<sup>1</sup> to January 29, 2024, for defendants Steven Hussey, Christopher Puma, Sean Holton, Raymond Perez, and Miguele Amoresano to answer or otherwise respond to the Amended Complaint. Defendants further respectfully request that, to the extent the Court is inclined to grant the within request, all deadlines pursuant to Local Civil Rule 83.1 be correspondingly extended as set forth below. This is the second request for an extension to respond to the amended complaint for individual defendants Steven Hussey, Christopher Puma, and Sean Holton, the first request for an extension to respond to the complaint for Defendants Raymond Perez and Miguele Amoresano, and the fourth request for an extension of the Section 1983 Plan deadlines. Plaintiff's counsel, Eugene M. Bellin, consents to this request.

As to the procedural history, on October 17, 2023, Defendants Holton, Puma, and Hussey were purportedly served making their answers due on November 7, 2023. *ECF nos. 22, 23, 24*. An extension to respond to the complaint until December 22, 2023 was requested and granted for

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<sup>1</sup> Responses to the amended complaint are currently due on December 21, 2023 for Defendants Perez and Amoresano and on December 22, 2023 for Defendants Holton, Puma, and Hussey.

these Defendants. ECF No. 26. On December 6, 2023, Defendants Perez and Amoresano were purportedly served making their answers due on December 21, 2023.

The reason for this request is that, to date, although the undersigned has obtained paperwork necessary to determine representation, additional time is needed for the undersigned to meet with these individual defendants and formally resolve representation pursuant to GML §50k. Additionally, because there were multiple officers present for the purported incident, including those with which the undersigned still needs to meet, this Office has not yet been able to adequately assess this case for potential settlement. Accordingly, additional time is needed for the City to assess this case for settlement and thereafter provide Plaintiff as response to his settlement demand.

Accordingly, it is respectfully requested that the Court extend the deadline, until January 29, 2024, for defendants Steven Hussey, Christopher Puma, Sean Holton, Raymond Perez, and Miguele Amoresano to respond to the Amended complaint. It is further respectfully requested that the remaining deadlines pursuant to Local Civil Rule 83.1 be correspondingly extended as set forth below:

- Deadline for City to respond to Plaintiff's settlement demand extended from December 28, 2023 to February 5, 2024;
- Mediation trigger date extended from February 1, 2024 to March 11, 2024.<sup>2</sup>

Thank you for your consideration of the instant application.

Respectfully submitted,

Thomas Lai s/  
Thomas Lai  
Senior Counsel  
Special Federal Litigation Division

To: **VIA ECF**

Eugene M. Bellin  
Richard A. Ashman  
*Attorney for Plaintiff*

Defendants' deadline to respond to the amended complaint is extended until January 29, 2024; the deadline for the City to respond to the settlement demand is extended until February 5, 2024; and the mediation trigger date is extended until March 11, 2024. SO ORDERED.

  
Edgardo Ramos, U.S.D.J.  
Dated: 12/22/23  
New York, New York

<sup>2</sup> Defendants incorrectly referenced this date in their previous request, ECF no. 25.